

RECEIVEDUSDC, WESTERN DISTRICT OF LA
ROBERT H. SHEMWEILL, CLERKDATE 3/2/07GB**UNITED STATES DISTRICT COURT****WESTERN DISTRICT OF LOUISIANA****LAFAYETTE-OPELOUSAS DIVISION****SONTHEIMER OFFSHORE/CATERING
COMPANY, INC. AND LEXINGTON
INSURANCE COMPANY**

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CIVIL ACTION NO. CV05-1856 LO

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VERSUS

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JUDGE HAIK

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**PSC INDUSTRIAL OUTSOURCING,
INC., f/k/a PHILLIP**

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SERVICES/LOUISIANA, INC.,

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MAGISTRATE JUDGE METHVIN**ABC INSURANCE COMPANY AND**

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XYZ INSURANCE COMPANY

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JUDGMENT

A Motion for Summary Judgment filed on behalf of
Complainants, SONTHEIMER OFFSHORE CATERING, INC. and LEXINGTON
INSURANCE COMPANY, came to be heard before this Honorable Court
on February 15, 2007.

After considering the law, evidence, pleadings, exhibits and
oral argument of counsel:


IT IS ORDERED that the Motion for Summary Judgment filed on
behalf of SONTHEIMER OFFSHORE CATERING, INC. and LEXINGTON
INSURANCE COMPANY be and is hereby denied.

IT IS FURTHER ORDERED that after consideration of the
various issues presented, this Court is of the opinion that the
matters addressed in the foregoing motion together with the
Opposition and Reply Briefs filed in relation thereto, and this
Court's rulings thereon, involve controlling questions of law as

to which there are substantial grounds for difference of opinion; and further, that as this matter is scheduled as a bench trial before the same trier of fact and the trial will involve the same issues as were addressed in the Motion for Summary Judgment, an immediate appeal from this ruling would materially advance the ultimate termination of this litigation. Accordingly, this Court, being satisfied that the conditions for appeal set forth in 28 U.S.C. 1292(b) have been met, certifies this judgment for appeal and grants SONTHEIMER OFFSHORE CATERING, INC. and LEXINGTON INSURANCE COMPANY and/or any other party permission to appeal from this ruling in accordance with law.

IT IS FURTHER ORDERED that trial in this matter, presently scheduled for April 9, 2007, is hereby continued, so that the appeal process may be completed.

THUS DONE AND SIGNED this 1st day of March, 2007,
at Lafayette, Louisiana.


UNITED STATES DISTRICT JUDGE